

Amendment under 37 C.F.R. § 1.111
Application No. 09/892,466

REMARKS

Claims 3-10 are pending in the application. Claims 3-7 and 10 are rejected. Claims 8 and 9 are allowed. Applicant has cancelled claims 3-5 and has amended claims 6 and 7 in order to use proper English in the claims.

Claim Rejections - 35 U.S.C. § 112

Claims 5-7 and 10 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. This rejection is traversed for at least the following reasons.

The Examiner notes that claims 5 and 6 include a phrase that, in the Examiner's opinion, renders the claims indefinite. The Examiner kindly identifies the Applicants' intention with regard to the original language and makes the suggestion for a claim amendment. Applicants agree with the Examiner's suggestion and have amended claim 6 and 7 accordingly. As to claim 5, the rejection is moot in view of the cancellation of the claim.

Claim Rejections - 35 U.S.C. § 102

Claims 3 and 5 are rejected under 35 U.S.C. § 102(a), (b) and (e) as anticipated by Nakamura et al (6,004,420). This rejection is moot in view of the cancellation of the two claims without prejudice or disclaimer with respect to pursuing that subject matter in another application.

Claim Rejections - 35 U.S.C. § 103

Claims 3 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura et al (6,004,420). This rejection is moot in view of the cancellation of these claims.

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura et al (6,004,420) in view of Michimoto et al (EO 0 330 197). This rejection is moot in view of the cancellation of this claim.

Allowable Claims

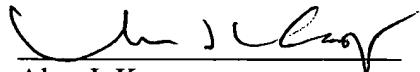
The Examiner indicates that claims 6, 7 and 10 would be allowable if rewritten or amended to overcome the rejections under § 112. On the basis of the amendments that we have made, claims 6-10 now should be allowable.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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